

**Official Policies and Procedures
of the
Utah State Office of Education**

Policy: Requests for Individual Data Policy

Page: 1 of 2

Subject: Fulfilling external requests for individual data whether identifiable or not

Purpose: To provide USOE staff entrusted with the security and maintenance of data guidance on how to address requests from external organizations for USOE data that includes individual data. This includes data that are identifiable by means of a name or other ID or readable traceable as well as individual data that have been de-identified.

POLICY

The policy addresses classes of data requests involving individual data (student, and/or educator). It extends or supplements the "USOE Requests Policy and Procedures.doc". Such types of requests are always addressed by the Data Quality Manager and often along with one or more agency data stewards.

Disclosure of Data for Research

Board rule R277-484-9

A. The USOE may disclose confidential, personally identifiable information of students to organizations for research and analysis purposes to improve instruction in public schools. Any such disclosure shall be made only if the following requirements are met:

(1) the disclosure is in accordance with the federal Family Educational Rights and Privacy Act (FERPA), 34 CFR 99-31(a)(6); and

(2) The research being done has been commissioned by the Board. In some cases, as approved by the Board, personally identifiable data may be provided to the researcher/contractor but only in a secure manner.

B. Those not commissioned but desiring data shall use the publicly available data on the USOE websites or request the research data set (AKA SERF) provided by the USOE Computer Services Section. This standard, de-identified data set shall be developed each year and available upon request.

C. The recipient organization has signed the Researcher Confidentiality and Acceptable Use Agreement; See: <http://www.schools.utah.gov/computerservices/Policies/ResearcherAccountability.pdf>.

Additional Policies

- Persons or organizations who wish to conduct surveys or research through the USOE must obtain permission from the State Superintendent of Public Instruction and should adhere to the following guidelines as they seek approval.
- Formal Institutional Review Board (IRB) approval must be included in the written request for masters or doctoral studies or other university work.
- Study does not require questions that lead to intrusion in private family life, business, or interest, except as allowed with positive parental permission.

- Study does not take time away from instruction in schools.
- Study requires no significant additional work from USOE employees or public school employees.
- Study will benefit USOE in its mission and work or at least has a direct connection to its mission and work.
- Written requests, signed by the researcher, will be directed to the Associate Superintendent for Data. Such applications will be considered by the USOE Data Governance and Policy Board, DGPB and ultimately approved by the state superintendent. >>> ADD Research Proposal Application (hardcopy) form? <<<
- After the application is approved, a pre-research meeting will be held between the researcher and the appropriate USOE staff. During this meeting the USOE's DGPB and researcher will come to agreements on: objectives, end products, timelines, areas of responsibility, data security arrangements, authorship credit and costs. A written statement outlining the terms of the agreement will be signed by the researcher and a designee of the DGPB.
- Study must follow appropriate legal and ethical guidelines, including the Family Educational Rights and Privacy Act (FERPA) requirements and matters of confidentiality.
- The researcher will provide a copy of the products of the resulting research (e.g. publication, report, book) to the USOE
- The USOE will maintain a record that indicates the name of any individual or organization external to USOE that requests and is allowed access to students' educational records. The record of access also indicates the interest such person or organization had in obtaining the information, as well as the date the requested data were disclosed. Agency's data stewards maintain such records.
- Charges may be associated with the research. Charges for data extraction and analysis tasks will be assessed at not more than \$50.00 per hour. Cost estimates, if any will be provided to the researcher.

Official Signed Agreement

Prior to access of any data after following the directives above, the requester must also sign and submit for approval the USOE Researcher Accountability Document. This can be found at <http://schools.utah.gov/computerservices/Policies/ResearcherAccountability.pdf>

PROCEDURES